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Attorneys for Defendant
MICHAEL T. BLATT.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LIBERTY MUTUAL INSURANCE
COMPANY,

Plaintiff,

v.

MICHAEL T. BLATT,
Defendant.

Case No. C 06 2022 SC

**DEFENDANT MICHAEL T.
BLATT'S MOTION IN
LIMINE NO. 1**

Date: January 28, 2008
Time: 9:30 a.m.
Courtroom: 1

Hon. Samuel Conti, Sr.
Trial Date: January 28, 2008

Defendant MICHAEL T. BLATT ("Blatt") submits the following
motion in limine in this action.

INTRODUCTION

This is an insurance coverage action that arises out of Liberty Mutual's
defense of defendant Michael Blatt in an underlying construction defect
action.

After summary adjudication, this Court identified three factual issues
remaining for determination at trial:

- (1) Whether any attorneys' fees and/or costs were generated, in the
defense of Blatt, after the jury verdict;

1 (2) Whether Liberty Mutual paid any of these fees and/or costs;

2 (3) The amount, if any of these fees and costs.

3 Only evidence that is relevant to these three issues is relevant at trial. By
4 this motion, Blatt moves to excluding any evidence that does not directly relate
5 to these three issues as irrelevant. Fed. R. Evid. 402.

6 Although the parties have submitted Stipulated Facts for the Court, only
7 those facts that pertain to these three issues are relevant. No other facts should
8 be considered by this Court.

9 **CONCLUSION**

10 Based on the foregoing, defendant Blatt requests that the Court exclude
11 all irrelevant evidence and only consider those facts that bear on the three
12 issues remaining for trial, as defined by the Court in its October 26, 2007
13 Order on the Motion for Summary Judgment.

14 DATED: January 22, 2008

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16 By: /s/
17 Ronald D. Foreman
18 Attorneys for Defendant
19 Michael T. Blatt
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